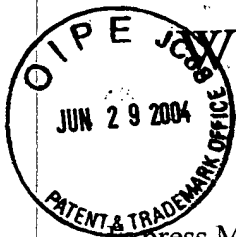


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Express Mailing Label No. EV 381 918 010 US

PATENT APPLICATION  
Docket No. 13447.9.2

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Daniel E. Gerbec et al. )  
Serial No.: 10/651,138 ) Art Unit  
Filed: August 28, 2003 ) 3732  
Confirmation No.: 8182 )  
For: METHODS FOR ADJUSTABLE BONE )  
FUSION IMPLANT )  
Examiner: David A. Bonderer )

TRANSMITTAL FOR AMENDMENT "A"  
AND RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment "A" and Response for entry in the above-identified application.

X Small entity status of this application is claimed under 37 C.F.R. § 1.9 and § 1.27.

\_\_\_ To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:

\_\_\_ Letter to the Official Draftsperson;

\_\_\_ Set of \_\_\_\_\_ ( ) sheets of drawings containing Figures \_\_\_\_\_ including the proposed amendments therein; and

\_\_\_ A duplicate set of the \_\_\_\_\_ ( ) sheets of drawings with the changes therein highlighted in red.

\_\_\_ To render the transmitted Amendment "\_\_\_" and Response timely filed enclosed are the following:

\_\_\_ Petition for a \_\_\_\_\_-Month Extension of Time; and

\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the fee for the extension of time.

X A Certificate of Express Mail Under 37 C.F.R. § 1.10.

\_\_\_ No other additional fee is required.

The fee has been calculated as follows:

			SMALL ENTITY		LARGE ENTITY	
CLAIMS REMAINING AFTER	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'T'L FEE	RATE	ADD'T'L FEE
TOTAL 23	MINUS 25	= 8	X 9	72	X	
INDEPENDENT 4	MINUS 4	= 0	X 43	0	X	
1 <sup>st</sup> PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+ _____ =		+ _____ =	
			TOTAL	72	TOTAL	

X Form PTO-2038 submitting Credit Card Payment in the amount of \$72.00 is enclosed to cover the additional claim fee.

\_\_\_ Please charge my Deposit Account No. 23-3178 in the amount of \_\_\_\_\_.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

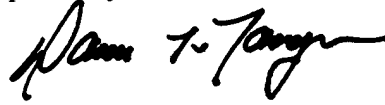
X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

X A duplicate copy of this transmittal letter is attached.

Dated this 29<sup>th</sup> day of June 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren", with a stylized flourish at the end.

DANA L. TANGREN

Attorney for Applicant

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Facsimile No. 801.328.1707



Express Mailing Label No. EV 381 918 010 US

PATENT APPLICATION  
Docket No. 13447.9.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
	Daniel E. Gerbec et al.	)
		)
Serial No.:	10/651,138	) Art Unit
		) 3732
Filed:	August 28, 2003	)
		)
Confirmation No.:	8182	)
		)
For:	METHODS FOR ADJUSTABLE BONE	)
	FUSION IMPLANT	)
		)
Examiner:	David A. Bonderer	)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29<sup>th</sup> day of June 2004.

- Transmittal Letter (3 pages) (in duplicate)
- Amendment "A" and Response (17 pages)
- PTO-2038 Credit Card Payment Form in the amount of \$72
- Postcard

Respectfully submitted,

DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913



Express Mailing Label No. EV 381 918 010 US

PATENT APPLICATION  
Docket No. 13447.9.2

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		)
For:	METHODS FOR ADJUSTABLE BONE	)
	FUSION IMPLANT	)
		)
Examiner:	David A. Bonderer	)

AMENDMENT "A" AND RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed from the United States Patent and Trademark Office on March 29, 2004, please enter the following amendments and remarks in the above-identified patent application:

**Amendments to the claims** begin on page 2 of this paper.

**Remarks** begin on page 12 of this paper.

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